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RUEHBUL/AMEMBASSY KABUL PRIORITY 6543  
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 9784  
RUEHNT/AMEMBASSY TASHKENT PRIORITY 2212  
RUEHKP/AMCONSUL KARACHI PRIORITY 3693  
RUEHLH/AMCONSUL LAHORE PRIORITY 0728  
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C O N F I D E N T I A L SECTION 01 OF 02 ISLAMABAD 022290

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TAGS: [KWMN](#) [PGOV](#) [PHUM](#) [PK](#) [PREL](#)

SUBJECT: PROTECTION OF PAKISTANI WOMEN: NOW, IT'S THE LAW

REF: ISLAMABAD 22028 AND PREVIOUS

Classified By: Ambassador Ryan C. Crocker, Reasons 1.4 (b) and (d)

¶1. (U) Summary: On December 1st, President Pervez Musharraf signed the Women's Protection Bill (WPB) into law, marking the first time in three decades that a Pakistani government has successfully rolled back laws that have stood virtually untouched since the institution of the Hudood Ordinances under Zia. Adoption of the WPB has thrown the Muttahida Majlis-e Amal (MMA) coalition of religious parties into disarray, with Jamiat-I Ulema-I Islamia - Fazlur (JUI-F) leader Fazlur Rehman waving off the call by Jamaat-I Islami leader Qazi Hussain Ahmed for all MMA members to resign from their National and Provincial Assembly seats. With the fractures in the MMA exposed, the Pakistan Muslim League-led (PML) government is preparing to introduce follow-on legislation to address cultural practices that oppress Pakistani women. End summary.

¶2. (C) The Ambassador and USAID/Democracy Officer met with Minister of Women's Development Sumaira Malik soon after the National Assembly passed the WPB. The Ambassador told the Minister that the official U.S. response has been positive yet low-key, to avoid fueling right-wing rumors that the U.S. had instigated the legislation. Accepting the Ambassador's congratulations, Malik stated that this is the first time that Pakistan's mullahs have been successfully challenged. She said that MMA political posturing, which included a threat that all its members would resign from Parliament, not only highlighted well-known rifts between JI and JUI-F, but also deepened regional cleavages within those parties. These miscalculations constituted a serious political blunder; the MMA now wished it had chosen another issue over which to draw lines in the sand. By calling the MMA's bluff, the government had left the religious parties sheepish over their defeat. Malik said that the MMA leadership is now trying to escape from the corner into which it has painted itself into by saying that resignations may not be necessary, and instead calling for massive anti-WPB rallies in early December.

¶3. (C) Malik characterized the WPM as a "triumph of moderates". The successful passage of the WPB required the

PML-led coalition and Pakistan People's Party (PPP) to collaborate against Pakistan Muslim League - Nawaz (PML-N) and MMA. Minister Malik admitted that elements in the PML were not completely behind the bill; she said that a changing of the old guard within the party might be needed if they do not have the courage to take on other important issues in the future. She credited PPP stalwart Sherrie Rehman with holding the PPP together in support the WPB. The Minister now plans to personally carry out a nationwide outreach to women to explain the new legislation and its consistency with the tenets of Islam. Her early planned stops include D.I. Khan District in the North West Frontier Province, a visit to the tribal areas, and a trip to rural Sindh Province.

14. (C) The Ambassador noted that the U.S., through USAID would like to be supportive of initiatives that promote and protect women's human rights in Pakistan. Recognizing that well-intentioned U.S. programming could have negative blowback to the GOP if not designed and implemented with an appreciation of political and social nuances in Pakistan, he stated that USAID would work closely with the Women's Development Ministry in the coming months to design meaningful and constructive support. Malik thanked the Ambassador, saying that her Ministry would appreciate programming that helps move the country away from the status quo in a gradual, measured manner. Going too fast, she said, plays into the religious extremists' hands. She sees her mission as one of drawing a distinction between "modernizing" Pakistani women and "westernizing" them. Actions perceived as trying to achieve the latter would bring disastrous results.

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15. (C) As to the next steps, PML President Chaudhary Shujaat Hussain has introduced a private bill in the National Assembly that would criminalize certain cultural practices that discriminate against Pakistani women: obstructing a women's right of inheritance, forced marriage, marriage to the Koran (to prevent property from passing outside the family should the woman marry), divorce through triple talat, etc. Shujaat and PML Secretary-General Mushahid Hussain Sayed told poloffs on December 1 that this bill will serve two purposes. First, it directly addresses Pakistani traditions that have long been the means of oppressing women.

The bill will also provide a face-saving platform for JUI-F and more moderate MMA elements to justify their refusal to follow JI's call for mass resignations over the WPB, as Shujaat has promised to engage actively with MMA and religious leaders on this follow-on legislation. To allow JUI-F some breathing space, the PML leader had agreed with Fazlur Rehman's request not to call the National Assembly into session in December. (Note: Post has a copy of Shujaat's bill, which is an extraordinarily lean for draft legislation. This bare bones framework has the potential to be transformed into an legislative Xmas tree, if Shujaat's commitment to seek MMA guidance on the bill holds. Post will carefully track the bill's mutations as the PML-MMA consultations move forward through the December legislative break. End comment.)

16. (C) COMMENT: As noted in a November 24 "Friday Times" editorial, successive Pakistani governments over the past thirty years have shifted the state from a fundamentally secular orientation to a deeply entrenched Islamicized one. Initiated under Z.A. Bhutto, the shift accelerated dramatically under General Zia-ul-Haq, continued through Benazir Bhutto's administrations, and picked up steam in Nawaz Sharif's two terms as Prime Minister. In the context of this history, President Musharraf and his team deserve credit for successfully striking down the most onerous provisions of the Hudood Ordinance through the WPB. Although it is encouraging that some GOP leaders have the courage to take on the religious extremists by softening the most egregious anti-women laws, this commitment is far from universal within the current government. The governing PML

is split between forward-looking leaders "enlightened moderation," and scrappy party tacticians primarily concerned with gaining political ground in the run-up to national elections in 2007. Reformers like Malik should be proud of their achievement with the WPB, while preparing themselves for many battles ahead in the struggle to enhance and protect the rights of Pakistani women.

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